



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on June 2, 2009

Date of Meeting: January 13, 2009

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:45 p.m., on Tuesday, January 13, 2009, all members having been notified of the time and place thereof.

1. **ROLL CALL**

The meeting was called to order by Mayor Walkup and upon roll call, those present and absent were:

Present:

Regina Romero	Council Member Ward 1
Rodney Glassman	Council Member Ward 2
Karin Uhlich	Vice Mayor, Council Member Ward 3
Shirley C. Scott	Council Member Ward 4
Steve Leal	Council Member Ward 5 (departed at 8:32 p.m.)
Nina J. Trasoff	Council Member Ward 6
Robert E. Walkup	Mayor

Absent/Excused: None

Staff Members Present:

Mike Hein	City Manager
Michael Rankin	City Attorney
Roger W. Randolph	City Clerk
Mike Letcher	Deputy City Manager

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Dr. Lester L. Potts, representing Tucson Veterans, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Walkup, assisted by Council Member Trasoff, presented the Rocky Mountain Southwest Chapter of the National Academy of Television Arts and Sciences Awards to various members of the Tucson Channel 12 staff.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 17, dated January 13, 2009, was received into and made a part of the record. He also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

- a. Council Member Scott announced there would be a Get Street Smart Safety Strategies for People and Neighborhoods workshop presented by the Meth Free Alliance and sponsored by Ward 4. This workshop would take place on January 14, 2009 at the Clements Center at Ward 4.
- b. Council Member Romero invited the public to attend the Public Safety Town Hall meeting sponsored by the Ward 1 Council Office on January 17, 2009, at the El Pueblo Senior Center. Various dignitaries and invited panelists would also be attending.
- c. Council Member Trasoff announced on January 16, 2009, the Ward 6 Office would be hosting an Artists Reception and Exhibition that included an all women art exhibit.
- d. Council Member Glassman announced that the Tucson Police Foundation would be hosting their annual awards dinner on January 31, 2009, at Ventana Canyon Resort.

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 18, dated January 13, 2009, was received into and made a part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

Mike Hein, City Manager, congratulated the Channel 12 staff for the awards they received.

Mike Letcher, Deputy City Manager, announced the City of Tucson Budget Department received the Distinguished Budget Award. This award was the highest form of recognition in government budgeting and represented a significant achievement by the City of Tucson. Mr. Letcher congratulated Frank Abeyta, Finance Director, and his staff, in receiving the award.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 19, dated January 13, 2009, was received into and made a part of the record. He asked the City Clerk to read the Liquor License Agenda.

b. Liquor License Applications

New License(s)

1. Chipotle Mexican Grill #1273, Ward 6
5870 E. Broadway #3001
Applicant: H. J. Lewkowitz
Series 12, City 79-08
Action must be taken by: January 19, 2009

Staff has indicated the applicant is in compliance with city requirements.

2. Fiesta Market, Ward 5
2620 E. 22nd St.
Applicant: Asraf Adel Shiha
Series 10, City 80-08
Action must be taken by: January 15, 2009

Staff has indicated the applicant is in compliance with city requirements.

Public Opinion: Written Arguments In Favor Filed

3. 7-Eleven #13048G, Ward 6
5457 E. Pima St.
Applicant: Kuldip S. Sahota
Series 10, City 81-08
Action must be taken by: January 15, 2009

Staff has indicated the applicant is in compliance with city requirements.

Public Opinion: Written Argument Opposed Filed

This item was considered separately.

4. Buck & Lil's B.B.Q., Ward 2
5121 E. Grant Rd.
Applicant: Donald Roy Franklin
Series 12, City 82-08
Action must be taken by: January 15, 2009

Staff has indicated the applicant is in compliance with city requirements.

NOTE: State law provides that for a new license application, "In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

c. Special Event(s)

1. St. Demitrios Greek Orthodox Church, Ward 3
1145 E. Ft. Lowell
Applicant: Jim Petropoulos
City T104-08
Date of Event: January 24, 2009
(Fundraiser for church group)

Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change/Acquisition of Control/Restructure

NOTE: There are no agent changes scheduled for this meeting.

It was moved by Council Member Romero, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license applications 5b1, 5b2, 5b4, and 5c1 to the Arizona State Liquor Board with a recommendation of approval.

Mayor Walkup asked if there was any discussion.

Council Member Glassman thanked the Mothers Against Drunk Driving for meeting with the applicants in Ward 2 to discuss the importance of fighting drunk driving and underage drinking, which happened with the applicant in this instance.

5. LIQUOR LICENSE APPLICATIONS

b. Liquor License Applications

New License(s)

3. 7-Eleven #13048G, Ward 6
5457 E. Pima St.
Applicant: Kuldip S. Sahota
Series 10, City 81-08
Action must be taken by: January 15, 2009

Staff has indicated the applicant is in compliance with city requirements.

Public Opinion: Written Argument Opposed Filed

Roger W. Randolph, City Clerk, announced the application to be considered separately was Item 5b3, located in Ward 6. Staff indicated the applicant was in compliance with City requirements, but a written opposing argument had been filed.

Council Member Trasoff asked if the applicant was present and if he would please come forward. She asked Mr. Scheid if he had reviewed the letter of concern that was raised and said she believed it was only one letter.

Patrick Scheid, District Manager for 7-Eleven, said he had reviewed the letter.

Council Member Trasoff asked if he had any comments on the issues or concerns raised in the letter.

Mr. Scheid said the pictures in question that were taken, were actually not of the property location. It was property that was separated by an alleyway behind his store. The pictures that were taken were of litter behind the other people's property.

Council Member Trasoff asked if the person who wrote the letter of protest was present. No one responded. She said the question raised in the letter regarded trash in the alley against the right-of-way across the alley. She asked the new owner to continue to police his own property and to make sure the property remained clean and up to standards for the neighbors.

Mr. Scheid agreed to Council Member Trasoff's request.

It was moved by Council Member Trasoff, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license application 5b3 to the Arizona State Liquor Board with a recommendation of approval.

6. CALL TO THE AUDIENCE

Mayor Walkup announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for items scheduled for a public hearing. Speakers were limited to three-minute presentations. The call to the audience was scheduled to last thirty minutes.

- a. Laura Leighton spoke about sanctuary cities where law enforcement was limited or prevented from asking the immigration status of an individual during a police stop, and the consequences of police not asking.
- b. Leia Maahs, Art In Reality Program, requested funding be continued for the Parks and Recreation leisure activities.
- c. Roy Warden spoke about the collapsed economy of the City and announced that in future Mayor and Council meetings, there would be a group addressing community safety issues and law enforcement in the community.
- d. Guy McPherson spoke about the Art In Reality Program and the benefits the program brought to youths in the community.
- e. Madeline Kiser, a member of the Art In Reality Program, said the youths of the program would be expressing their experiences about the program.
- f. Rocky Martinez, aerosol arts instructor for Tucson Parks and Recreation and a member of the Art In Reality Program, explained the program helped youths stay off the streets and encouraged them not to participate in illegal activities. Their goal was to assist youths to become better members of today's society.
- g. Victor Navarro, a delegate to the United States from France for the fine arts sector, and a teacher of the Art In Reality (AIR) Program, encouraged everyone to support the program because it was a wonderful institution to assist youths in the community.
- h. Lee Ewing said he would like to see more funding for the Tucson Police Department and expressed his discontent that Tucson was a sanctuary city.
- i. Joe Sweeney spoke about the status of illegal aliens in the community and the two bills being introduced regarding undocumented youths and prisoners.
- j. Robert Reus spoke about his discontent with the appointment to the Civil Service Commission and graffiti in the community.
- k. Charity Ameral, Art In Reality Program, said the program was a great after school program for youth to keep them off the streets.

- l. Preston Glass expressed support of Art In Reality Program and explained the program gave youths in the community a way of expressing their feelings in a form of art that was productive, safe, and legal.
- m. Kelsey Gates, Art In Reality Program, explained the encouragement the youths received from the teachers in the program.
- n. Mike Humphrey asked for the support of the Mayor and Council in acquiring payment for the unpaid life insurance claim of his spouse.

7. CONSENT AGENDA – ITEMS A THROUGH J

Mayor Walkup announced the reports and recommendations from the City Manager on the Consent Agenda were received into and made a part of the record. He asked the City Clerk to read the Consent Agenda.

A. APPROVAL OF MINUTES

1. Report from City Manager JAN13-09-27 CITY-WIDE
2. Approval of minutes for the regular meeting of the Mayor and Council held on November 4, 2008.

B. PUBLIC IMPROVEMENT: PARK AVENUE, IRVINGTON ROAD TO VALENCIA ROAD, DISTRICT STREET LIGHTING AND SIDEWALK IMPROVEMENT

1. Report from City Manager JAN13-09-22 WARD 5
2. Resolution No. 21156 relating to Transportation; approving the issuance of City of Tucson improvement bond, Series No. 827, for the “Park Avenue, Irvington Road to Valencia Road, District Street Lighting and Sidewalk Improvement”; directing the delivery of said bond to Wells Fargo Bank, Corporate Trust Services, as custodian and registrar; ratifying prior acts; and declaring an emergency.

C. BOARDS, COMMITTEES AND COMMISSIONS: APPOINTMENT TO THE CIVIL SERVICE COMMISSION

1. Report from City Manager JAN13-09-31 CITY-WIDE
2. Resolution No. 21191 relating to Civil Service Commission; appointing Fred Ronstadt as a Civil Service Commissioner to fill the existing vacancy caused by the resignation of Judith Patrick, for a term expiring on January 23, 2012; fixing annual compensation; and declaring an emergency.

D. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY AND THE ARIZONA ATTORNEY GENERAL FOR THE OPERATION OF THE ELDER ABUSE TASK FORCE

1. Report from City Manager JAN13-09-34 CITY-WIDE
2. Resolution No. 21193 relating to Intergovernmental Agreements; authorizing and approving the execution of a second amendment to the Intergovernmental Agreement between the City of Tucson, Pima County, and the Arizona Office of the Attorney General for the operation of the Elder Abuse Task Force; and declaring an emergency.

E. BOARDS, COMMITTEES, AND COMMISSIONS: EXTENDING THE TERM OF SERVICE FOR THE TRANSIT TASK FORCE

1. Report from City Manager JAN13-09-35 CITY-WIDE
2. Resolution No. 21194 relating to Boards and Commissions; amending Resolution No. 21023 to extend the term of the Transit Task Force; and declaring an emergency.

F. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO SUNNYSIDE UNIFIED SCHOOL DISTRICT FOR THE SUNNYSIDE DIGITAL ADVANTAGE PROGRAM

1. Report from City Manager JAN13-09-30 MAYOR
2. Resolution No. 21195 relating to Finance; approving and authorizing the allocation of One Thousand Dollars (\$1000) from the Mayor's Office, Community Support Fund, Account No. 001-183-1898-268, to the Sunnyside Unified School District Digital Advantage Program to assist in purchasing laptops for 9th Grade students; and declaring an emergency.

This is a request by Mayor Walkup. Allocation of funds is as follows:
Mayor Walkup - \$1000.00

G. REAL PROPERTY: SITE ACQUISITION FOR BROKEN SPRINGS TRAIL WATER BOOSTER STATION

1. Report from City Manager JAN13-09-25 OUTSIDE CITY
2. Resolution No. 21196 relating to real property; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, certain real property located near the intersection of Broken Springs Trail and Camino del Cerro for a water booster station and related facilities; and declaring an emergency.

Roger W. Randolph, City Clerk, announced this item was continued to the meeting of January 27, 2009, at the request of Council Member Romero.

H. PARKS AND RECREATION: FACILITY DEVELOPMENT AND USE AGREEMENT WITH RINCON LITTLE LEAGUE FOR DUGOUTS AND A BATTING CAGE

1. Report from City Manager JAN13-09-23 WARD 4
2. Resolution No. 21197 relating to Parks & Recreation; authorizing and approving a Facility Development and Use Agreement between the City of Tucson and Rincon Little League, Inc. for the development of two dugouts and a batting cage on Field 3 at Purple Heart Park; and declaring an emergency.

I. REAL PROPERTY: APPROVING AN AGREEMENT TO EXCHANGE REAL PROPERTY WITH PIMA COUNTY FOR THE COURTS COMPLEX AND THE CUSHING STREET BRIDGE

1. Report from City Manager JAN13-09-24 WARDS 1 AND 6
2. Ordinance No. 10624 relating to real property; vacating and declaring certain City owned right of way in the vicinity of the proposed Courts Complex to be surplus; authorizing the exchange thereof to Pima County; and declaring an emergency.

J. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE BARRIO CENTRO NEIGHBORHOOD ASSOCIATION PROJECT AND PETITION FOR ESTABLISHMENT OF A COUNTY HIGHWAY

1. Report from City Manager JAN13-09-29 WARD 5
2. Resolution No. 21192 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the Barrio Centro Neighborhood Association Project and a petition for establishment of a county highway; and declaring an emergency.

(NOTE: Council Member Scott departed at 6:44 p.m.)

(NOTE: Council Member Glassman departed at 6:45 p.m.)

It was moved by Vice Mayor Uhlich, duly seconded, that Consent Agenda Items A through J, with the exception of Item G, which was continued to the meeting of January 27, 2009, be passed and adopted and the proper action taken.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Leal, and Trasoff;
Vice Mayor Uhlich and Mayor Walkup

Nay: None

Absent/Excused: Council Members Glassman and Scott

Consent Agenda Items A through J, with the exception of Item G, which was continued to the meeting of January 27, 2009, were declared passed and adopted by a roll call vote of 5 to 0.

(NOTE: Consideration of this item resumed after Item 8.)

(NOTE: Council Member Scott returned at 6:46 p.m.)

8. PUBLIC HEARING: RECOMMENDED ALIGNMENT FOR THE GRANT ROAD IMPROVEMENT PLAN

Mayor Walkup announced City Manager's communication number 28, dated January 13, 2009, was received into and made a part of the record. He also announced this was the time and place legally advertised for a public hearing on the Recommended Alignment for the Grant Road Improvement Plan and acquisition of right of way. He said the public hearing was scheduled to last no more than one hour and speakers would be limited to five-minute presentations.

(NOTE: Council Member Glassman returned at 6:47 p.m.)

Mayor Walkup stated before the public hearing would begin, staff would make a brief presentation.

Jim Glock, Transportation Department Director, announced he wanted to provide a few words of introduction to the Grant Road Improvement Plan Recommended Alignment for the five miles from Swan Road to Oracle Road that was being considered on the evening's agenda.

Mr. Glock said he first wanted to thank the Regional Transportation Authority (RTA) consulting team led by Kimley Horn, primary consultant; Andrew Singelakis, Deputy Director of Transportation; Melissa Antol, Transportation Project Manager, and Nicole Ewing-Gavin, previous Transportation Project Manager, who all worked very hard on the project. But more importantly, he also wanted to acknowledge the superb job that was done on the project thus far by the Citizens Task Force, many of whom were present. Mr. Glock also thanked the hundreds of citizens who took time to attend one or more of the many meetings, workshops, and open houses that were held to develop the

recommended alignment. He said the thousands of comments and suggestions that were provided were the true basis of the plan.

Mr. Glock said on the evening's agenda, the Mayor and Council were being asked to approve the alignment proposed by the Task Force, and also to give the authority to begin property acquisition, if needed. He pointed out that Pima County voters approved the RTA project plan in 2006. That plan called for Grant Road to be a six-lane divided roadway, and those were the parameters that the Task Force was given from the onset and worked within.

Mr. Glock noted that the approval of the alignment was the beginning of the design process. Once there was an approved alignment, work could begin on other issues including, but not limited to, access, buffering, adjacent land use regulations, parking, site configuration, drainage, and landscaping. He said his team would work closely with many property owners to identify exactly how much property was needed and how the properties could best be reconfigured to the advantage of all parties.

Mr. Glock explained the Grant Road project began with the RTA election in 2006, when voters of the region approved the RTA plan. Even prior to the RTA, it had been a long-standing goal to widen the stretch of Grant Road to six lanes, so that it would be consistent with current conditions that were east and west of the project limits. He explained the project was different from others that had been completed in the past, and listening was the first step. Over sixty listening sessions and community conversations with the public began in 2006, and continued through 2007 and 2008. A series of public workshops were conducted, with hundreds of interested citizens who attended and provided additional input. There was extensive notification and meetings with property owners and tenants since the first draft of the Task Force plan was unveiled in October of 2008.

Mr. Glock explained that the Task Force and staff did an excellent job of absorbing a tremendous amount of technical information and unprecedented amount of public input. The Task Force translated all the information into the guiding principles that were used to develop the design of the alignment. Those guiding principles were the key to what was being approved, and addressed a number of critical areas that included:

- Mobility along the roadway for motorists, transit and bikes and across the roadway for pedestrians and bicyclists.
- Maintaining to the greatest extent possible, the character and vitality of Grant Road.
- Minimizing to the greatest extent possible, impacts to businesses and homes.
- Preserving historic structures and qualities.
- Protecting and enhancing the environment.

Mr. Glock added, while adhering to the guiding principles, the Task Force developed innovative designs for a safer, much more efficient Grant Road that was pedestrian-friendly, bicycle-friendly, and maintained the character of businesses and neighborhoods. It also incorporated elements of sustainable design that consisted of neighborhood access lanes, water harvesting, shade structures, enhanced transit plazas, and planned for future expansion of transit. He said it was also a much safer road for all users and the key element was the indirect left turn, which:

- dramatically reduced collisions at the intersection
- was more efficient operationally
- reduced wait time
- was pedestrian friendly at the intersection and also at the U-turn where another protected pedestrian crossing would be located.
- took up less space and fewer acquisitions.

Mr. Glock said it should be noted that traffic signal timing was key to this project. People would need to go through more traffic lights, but they would all be timed together.

Mr. Glock said, as he had mentioned earlier, discussions with property owners would continue as details of the alignment were worked through. Some of those details included the shopping center between First Avenue and Park Avenue, and the Bay Horse Tavern at Treat Avenue. With creativity, solutions could be developed that would maintain the businesses' viability. He said he anticipated discussions with those owners, and other owners, during the next phase of the project and would work to address the complications that would arise, by developing solutions acceptable to all parties.

Mr. Glock explained the alignment plan that was before the Council for approval was the result of more than two years of public input and eighteen months of work by the Task Force. He said he believed it was an excellent plan that achieved the goals for the project set by the voters of the region who approved the RTA plan. It also addressed the concerns and suggestions of the businesses and neighborhoods that called Grant Road home.

Mayor Walkup thanked Mr. Glock and announced the public hearing would begin. He called the first speaker.

James DeGrood, Director of Transportation Services of the Pima Association of Governments (PAG), applauded the efforts of all those who were involved in the process of the planning for the Grant Road Improvement Plan. Staff, consultants, task force members, and citizen volunteers had really done a tremendous job in what would be the RTA's single largest investment in the community. The development of this plan was not for the faint of heart. It was not an easy challenge to plan a project of that magnitude.

Mr. DeGrood pointed out that the RTA election approved Grand Road as a six-lane arterial roadway widening project with sidewalks, streetscapes, and bike lanes. This project was much more than that now. The innovative indirect left turn that Mr. Glock spoke of in his report would really improve mobility for both the motoring public and, perhaps even more important, the pedestrians in the community. It would also provide a smaller foot print and less impact on the businesses along the roadway. He also acknowledged the efforts that went into identifying and fine tuning the alignment. Mr. DeGrood said the alignment was something the taskforce had worked on for many hours by weighing community values, architectural values, and historical values to produce an alignment that was far less avulsive for the community than other projects completed in the past. Any project of this scope and magnitude would cause disruption and would not be easy. But with the thoughtful and creative efforts of those involved, the Grant Road project would be the gold standard for RTA projects and other projects in the community. He said he thought all future projects would be measured against it, and thanked the Mayor and Council.

John Kromko said he remembered when Speedway Boulevard was widened. The big national companies or chains did alright, but many local businesses never recovered from the relocation or from the construction. And now, the economic conditions were much worse. Recently, Thornydale Road was widened and that was a much smaller project compared to this project. A number of businesses failed. Their property was not taken, they just failed from the construction. He said the situation was fragile and urged the Mayor and Council not to proceed with the project.

Mr. Kromko said many neighborhood members met with many businesses along the way and wanted to propose an alternative. He suggested constructing bus turnouts and adding more turn lanes at the intersections, and said that would eliminate more than seventy percent of the traffic of the massive one hundred fifty foot right of way. Mr. Kromko said the studies showed the alternative plan would be a fraction of the cost and that was what he would like to see the Mayor and Council approve. The businesses would not survive ten years of construction and the project would take away two hundred businesses and their parking. He said the businesses would not make it, and not passing the alternative plan would be a tragedy.

Mr. Kromko said there was precedence for this project. Just a few years ago, City staff said there had to be a freeway interchange at Grant Road and Campbell Avenue, and they could not survive without it. The voters did not approve it. Bus pullouts and turn lanes were added and the intersections were just fine and would be fine for years. By adding pull outs and turn lanes, it would not preclude doing something more grandiose in the future. In these economic times, something should be done that the City and the community could afford. He urged the Council to have the courage to vote on the alternative plan. He said the Mayor and Council were flexible and could change with the economic conditions and realities that they presently had and would accept what the neighborhoods and businesses wanted. He said staff always commented on how many citizens attended the public hearings, but never mentioned that if those citizens could vote, they would have cancelled the project.

Council Member Leal said there was confusion on how the left turn lanes would work and asked Mr. Glock to explain the concept, so future speakers would understand.

Mayor Walkup suggested that Mr. Glock give a brief presentation on how the left turn lane worked.

Mr. Glock said staff would set up displays on how the left turn lanes would work. He said the indirect left turn accommodated left turn movement by directing vehicles traveling east and west on Grant Road who wanted to turn north and south. Vehicles would actually go through the intersection for the cross street they want to turn left on, queue up, make a U-turn with the protective left U-turn signal, then come back at the cross street they wanted to travel on, and turn right. The benefit of that would be that it would eliminate a phase of the traffic signal timing and accommodate the through traffic that was continuously growing and to predict growth over the next twenty years. The indirect left turn had the benefit of improving the overall operation of the intersection. More importantly, at the U-turn locations, the U-turn movement would be protected with the signal to provide another opportunity for a protective pedestrian crossing location.

Mr. Glock said throughout the listening sessions and throughout the public meetings, there was a desire to try to bridge the barrier that Grant Road provided today for the north and south neighborhoods, and particularly for pedestrians and bicyclists. This unique approach for handling the intersections allowed for additional bicycle and pedestrian crossings where U-turns were made. In addition, the task force asked for pedestrian light controlled intersections and the “two can” type intersections that were deployed throughout the region to occur midway between the seven intersections. There would be over twenty opportunities for pedestrians to have a signal protecting them as they crossed Grant Road between Swan Road and Alvernon Way.

Mr. Glock added that another key benefit was at the intersection itself. Left turn bays were not needed at those locations. Pedestrians crossing Grant Road would not have to travel the additional twenty-four feet that the double left lanes currently provided. Where there were pedestrians who had the need to rest or wait in the median, a median island refuge would also be provided to make their passage across the intersections at the major roadway crossing safer and easier. It would not just be a six foot wide median nose between six lanes of traffic.

Mr. Glock concluded that this was a great benefit from an operational standpoint, a safety standpoint, as well as a land use impact standpoint.

Council Member Leal thanked Mr. Glock for his explanation.

Mayor Walkup continued the public hearing and called the next speaker.

Bob Gugino represented Jagor LLLP, which was the owner of the shopping center property on the northeast corner of First Avenue and Grant Road that Mr. Glock referred

to. He pointed to the area on the map where the shopping center was located. He noted the properties that would be acquired were on the south side of Grant Road; both east and west of his property. On his client's property, the movement was to the north side and greatly impacted the property. His clients were two people in their seventies, whose father built the shopping center in the 1960s, on the same property that his father had purchased in the 1940s. The property had been in the same family for sixty to seventy years. They never attempted to sell the property or listed it for sale. The property was in the family trust so it would continue in the family for as long as they could foresee. They did not desire to have the property affected. He said it was a very interesting parcel. At First Avenue, the parcel included Firestone Complete Auto Care, a Mobil Gas Station, and a McDonald's Restaurant. In the main part of the shopping center, there was a 99 Cent Store, H&R Block, Shere Punjab India Restaurant, Yamato Japanese Restaurant, which he understood from Mr. Hein was an excellent sushi establishment, India Food and Gifts, Al's Barber Shop, CVS Pharmacy, which had been in the same location for thirty years and open twenty-four hours a day, Checker Auto Parts, Farmers Insurance, and Compass Bank on the corner of Park Avenue. He said the current alignment greatly impacted the viability of the shopping center and would, in fact, take the Mobil Gas Station, and the McDonald's Restaurant without a doubt.

Mr. Gugino said twenty-five percent of the parking would also be taken away from the remaining part of the shopping center. As aligned, it would take one hundred ten of the four hundred twenty-nine current spaces. He said City staff told him those spaces would be grandfathered, so they would not have to worry about future tenants. The problem was that tenants, especially national tenants, were concerned about actual parking counts, and not grandfathered parking rights.

Mr. Gugino said fifty percent of the leases were up for renewal in 2011, and another forty-five percent by 2012. That totaled ninety-five percent of the leases by 2012. CVS Pharmacy, which had been following the project, determined that parking would be limited and they would be at a disadvantage, because they were an old store and did not have a drive-through. They relied on parking being at their front door. Also, the Michigan Street left turn would get very close to their front door and would take away their parking field. He said if CVS Pharmacy felt they would have limited parking, they would not renew their lease and Checker Auto Parts felt the same way.

Mr. Gugino said the shopping center was very interesting because it included a mix of national and local businesses. He said Eastern Indians ran two businesses, an African American ran Al's Barber Shop, a Vietnamese owned the 99 Cent Store, and those businesses had been in business for ten to twenty years in Tucson. They raised their families based on what they had made from their business, and put their kids through school. They were businesses that could not relocate to a different location, and the impact to those businesses would be very dramatic.

Mr. Gugino said the second alternative that City staff had prepared after hearing some of the input, basically took property to the south. He noted the second alignment, even though his property would still be affected, would also take a gas station and the

Los Betos Restaurant located at the corner of Grant Road and north Hampton Avenue. It would also take three of the total twelve residences. Mr. Gugino said he preferred the second alignment, because it would only take nine remaining residences and would leave his property intact. It also had a much better road structure. He said the original project had an awkward stretch of road that required a large bulb, where the second alignment flowed much better with the east and west sections. As far as cost was involved, if the Mobil Gas Station would be taken which was a land lease, and based on the landlords' rental and the cap rates of national tenants, the landlords would lose approximately one million dollars. The loss of the Mobil Gas Station based on their cost and loss of business would be approximately two million dollars, and McDonald's Restaurant would be very similar in numbers. In calculating the loss of the entire shopping center, the landlords' costs would be about ten million dollars and if the other tenants were added, which were McDonald's Restaurant and the Mobil Gas Station, the loss would be about four million dollars.

Mr. Gugino said he brought some photos of the nine residences across the street from his property for the purpose of showing that those properties had no potential historic value. If the properties would be sold at one hundred twenty-five dollars to one hundred fifty dollars per square foot, they could be purchased for 1.2 million to 1.4 million dollars. That was about one tenth of what it would take to purchase the shopping center. Those residential properties were about eleven hundred to thirteen hundred square feet in size. Six of the nine properties were rentals and only three of the properties were owner occupied.

Mr. Gugino said the second alignment should be adopted because it had better traffic flow, and the residential properties cost much less. It would also leave about two hundred jobs that the shopping center provided, and leave two hundred fifty thousand dollars of sales tax that the shopping center generated. It would leave one hundred forty-eight thousand dollars of property taxes compared to seventeen thousand dollars generated from the residential properties. He said it would save a number of small businesses that would never be able to relocate, never be able to borrow the money to go into a new location, and it would save a local shopping center that had served that neighborhood for fifty years. The shopping center would not be one hundred percent occupied if not supported by the neighborhood, and with this taking, the neighborhood would lose vital food, gas, a drugstore, a pharmacy, and all of those uses.

Mr. Gugino said he did not see the logic in the alignment. He said he was never convinced of the logic of this alignment. Unfortunately, the task force thought there was going to be much less of an impact on the property when it voted for the alignment. Mr. Gugino said, given what he thought the impact was, he hoped the Mayor and Council would do the right thing, and preserve the limited money that the City had in order to make this project successful.

Beverly Rutter said she lived near Campbell Avenue and Grant Road for forty-four years and watched a lot that had happened along Grant Road. She was appointed to the Grant Road Corridor Planning Task Force that represented neighborhood

concerns. She said her presentation would be brief because most of the points she wanted to talk about were made by Jim Glock. Ms. Rutter said there was wonderful support from City staff and from the consultants. She said she thought Mayor and Council would like to hear something from someone who was not paid to speak, and the opinions were those of the task force as well. They listened to all the points that were repeated that evening. They made difficult decisions, while trying to be true in maintaining the character of Grant Road, improving safety, as well as making the road beautiful. Ms. Rutter said it was not easy to make some of the decisions, because everybody along the roadway was going to feel the impact in some way. However, they were proud of what they did, they worked very hard, and worked well together. She concluded by saying they were proud of what was brought forward to Mayor and Council, and urged approval of the plan.

Salle Hunter, Green Party of Pima County, said they were against the destruction of over two hundred fifty businesses, the displacement of hundreds of residents, and the loss of home and property value of thousands of midtown residents with the proposed RTA as it stood.

Ms. Hunter said the Green Party recognized the unsustainability of uncontrolled growth, a lack of reliable water supply, noise, dust, and pollution that would doom midtown with spray paint and urban decay. Currently, without the damage, midtown was a vibrant tax paying midtown. This project took away its artery and when an artery got cut it caused serious consequences. Tucson would bleed money into an economy that was already in serious trouble. She asked what the purpose was, when seventy percent of the traffic could be moved along with bus pullouts and right turn lanes. She said the project would destroy midtown. There would be minimum damage to the neighborhood if traffic would flow along.

Ms. Hunter said University Medical Center was the only level one hospital and trauma center in the City. There were two, but now there was only one. The hospital was located just blocks north of the proposed RTA swath and construction would be an obstacle to ambulances and people frantically trying to rush to the hospital in a time of crisis. She said that happened to her when she tried to get to Carl Hayden Hospital during a time when the City had construction in that area. She had serious trouble trying to find the hospital and almost bled to death. That was before there were cell phones. She said she had lived through the experience of trying to find a hospital in a construction zone, and it was something that should not be contemplated. She urged the Mayor and Council to take the tax money before the economy tanked completely, and fix the pot holes, roads, and bridges, and leave the community and midtown a vibrant part of the taxpaying Tucson.

Kent Solberg, co-owner of Kent's Tools on Grant Road, said he had been at that location for twenty-five years. He said he was wearing two hats that evening. He said he wanted to clarify that the RTA election did not approve a six-lane through-way down Grant Road. It approved the concept of a transportation plan, but there really was no plan, and the public did not understand that. He applied to be a member of the Citizens

Advisory Committee on three different occasions, was ignored, and not contacted back or invited to participate.

Mr. Solberg said the first hat he wore was that of a shop keeper who was very disgruntled, angry and worried. Two and one half months ago, he was told by the RTA that both sides of the street, where he operated his business, were going to be taken away. He said on one side of the street he owned his business, and on the other side of the street, he rented, and had rented at that location for twenty-five years. He met with the RTA staff and their consultants and planned a move and made decisions about the future of his business; whether to upscale, down scale, how and where to move. He said it was not a pleasant thing, because he was opposed to the RTA. However, he had to take into consideration what was best for his business. He said two weeks ago, he read in the newspaper that the RTA magnanimously decided to spare Kent's Tools. The City failed to contact him and failed to ask him what he wanted to do. They also failed to let him know what their decision was and that they had changed their minds. Mr. Solberg said he read the outcome in the paper, and obviously he was not happy.

Mr. Solberg said he could not do business in a construction zone that would take five, eight, or ten years to complete. He asked the Mayor and Council, if they voted on the RTA project that evening or in the future, to change the decision that was made to spare Kent's Tools, because the Grant Road expansion to six lanes in front of his business would be the death knell to Kent's Tools, anyway. He could not survive during that construction climate.

Mr. Solberg said the second hat he wore was that of a concerned citizen who opposed the Grant Road expansion that was backed by realtors, developers, and car dealers who raised 1.2 million dollars to advertise the RTA during and before the election to convince the voters that it was right and righteous. These realtors, developers, and car dealers were just waiting to redevelop five miles of prime real estate and line their pockets at the expense of two hundred small businesses and thousands of homeowners and renters.

Mr. Solberg said he felt bad for the small businesses and chains that were on the corner of Grant Road and First Avenue that the gentleman spoke about earlier. But, he also felt bad for the residents on the other side of the street who were thrown to the wolves. Mr. Solberg reminded everyone that there was an economic crisis. Everyone knew there was a crisis, knew the Country was almost bankrupt, the State was definitely bankrupt, and the City had budget shortfalls. Within the next two to three years, everyone would be facing economic crises that nobody had seen before, unless they lived through the Great Depression. It made more sense to solve the Grant Road traffic project and would mitigate seventy percent of the traffic problem, as mentioned earlier, by installing right turn lanes and bus pullouts because that was a simple fix.

Mr. Solberg said presently, when drivers made right turns onto Campbell Avenue from Grant Road, it was a pleasure. There were no waiting lines, traffic was not blocked, and usually, a driver could make a right turn before the light even changed. By doing

this, it would free up one hundred twenty-five million dollars of monies allocated for the Grant Road project to be used to repair the streets. Nobody could drive on the streets of Tucson without falling into a pothole. The funds could also be used to repair bridges, to repair the transportation infrastructure, and to put people to work immediately, not five or ten years later, but immediately, when new jobs were needed and the people of the town were bleeding. He urged the Mayor and Council to make a decision for what was best for Tucson, best for small businesses, best for the residents of the community, and not for the special interest groups that only saw dollar signs.

Chet Gardiner said he lived in the heart of the affected area near Grant Road. He thanked Vice Mayor Uhlich and Council Member Trasoff for attending the Sustainable Tucson general meeting the previous evening. He also thanked Council Members Leal, Romero, and Glassman for sending representatives. Over one hundred members of the community met to begin a planning process to guide Tucson through three main crises it was facing. The economic meltdown, which was the collapse of the growth economy, was one of the crises he spoke of. He also mentioned resource depletion and mentioned that peak oil had been reached. The easy cheap oil was gone. There was the problem of climate change, the Lord's great cosmic joke. If they were to "drill, baby, drill," and burn it all, they would not be able to live there anymore.

Mr. Gardiner said, at the previous evening's meeting, the participants were exposed to the fact that instead of managing growth, the biggest challenge was to manage the lack of growth, and try to build a resilient sustainable community in Tucson. The open space process that was discussed during the meeting was designed to be a safe place for everyone attending to voice his or her concerns and desires concerning moving Tucson to a sustainable future. It was a completely inclusive, non-biased, and non-preordained process. It was a true citizen's advisory committee. One of the top groups discussed the transportation issues. He said the issues, concerns, and desires of the transportation group dove-tailed with those reflected in the Executive Summary of the Grant Road Corridor Community Conversations. He said he wanted to quote from the October-November 2006 study. Mr. Gardiner read from the Summary that people loved the Grant Road area because it was fun to walk and contained old houses that gave a sense of place in history. It had a rich, diverse character mainly due to the quirky eclectic mix of local businesses. Grant Road was not just a corridor to the residents, it was a community. He continued to read from the Summary that the residents wanted neighborhoods they could walk in and had easy access to business and services that included safe pedestrian walkways and bicycle lanes. The roads should reflect the character of the small local businesses and neighborhoods that were already in place.

Mr. Gardiner said he studied the Grant Road final alignment and it was contrary to all those concerns. It was exactly opposite of what the folks who participated in the previous open space meeting, wanted or needed. He said he walked into a parallel universe, because there were many who were aware of peak oil, climate change, and the changing of the economy. There were well-meaning and articulate people present who were trying to rearrange the deck chairs on the Titanic while the ship was sinking. For the sake of their neighborhoods, the quality of life, and the future of Tucson,

he begged the Mayor and Council to reconsider the misguided, unnecessary, and expensive project.

Ann Rose, Ward 3 resident, said she opposed the Grant Road alignment and wanted to read a couple of lines from a guest commentary published in the Tucson Weekly on October 4, 2007, written by Randy Serraglio, which said, "The RTA plan mandates that the improved Grant Road will have six lanes, period." Ms. Rose said when she went to the workshops, that was the one non-negotiable aspect she opposed. She continued to read from Mr. Serraglio's article, "If you're as familiar with Grant Road and the rules of eminent domain as I am, you know that this will cause the destruction of numerous structures along its path. The sad part is that the small shops and homes lining Grant Road give it a funky character that prevents it from looking like every other strip-malled avenue in this overly paved and patterned country. Sure as tumbleweeds fill a vacant lot, corporate chain stores will colonize the disturbed landscape in the bulldozer's wake." She said that was her comment.

Mary DeCamp, Green Party representative, said they opposed the Grant Road widening. She said it was wonderful to see the young people in the audience, to know that democracy was living on to the next generation, and that people have stepped up to follow in our footsteps. She loved the fact that democracy can work and appreciated the opportunity to state her opinion, especially since the Green Party had no money, and nobody was paying them. She said they were just looking out for and wanted the best for the people of Tucson and the people of the world. Their ten key values involved that they look at future focus and sustainability.

Ms. DeCamp said everyone had heard multiple times about peak oil and climate change and were not trying to scare anyone or throw out red herrings. The science behind it was solid. Times were changing, and it was their responsibility as adults and as decision makers to approach these problems thoughtfully. When the RTA was or was not passed a couple of years ago, the economic climate was extremely different. It was before Bernard Madoff made off with his millions, and before the economic meltdown. Ms. DeCamp said they were facing tough economic times and to throw good money after bad, would not do any good. She said they had started down the path and the time and effort of many hard working decent staff members had been invested, and they appreciated that. Just as the person who threw the noose over the rafter, and had not made the last step off the stool, she hoped that Tucson, and the Mayor and Council, would thoughtfully consider the consequences of this action. She thanked the Mayor and Council for the opportunity to speak.

Douglas Dorn said he was going to keep his comments to facts. Whether or not people liked what was happening, the time to speak was during the elections. The vote passed, the people voted to do the plan, and that was what they presently had.

Mr. Dorn said he wanted to concentrate on the indirect left turn concept. The concept said that a driver would go through the intersection, wait, then make a U-turn and come back. He said Tucson dealt with a society that had a transient

population, such as students and winter visitors. He did not think they would be able to figure out the indirect left turn concept. What would happen was that they would stop in the middle of the intersection, disrupt traffic, and then turn left when they wanted to. He said he was in Tucson during the time of the reversible lanes, and asked if there were calls to bring them back. He did not think so. He said this concept would be the same problem.

Mr. Dorn said the second problem was that people would not want to use the indirect left turn and would try to avoid them. He said drivers would plan to make a turn a quarter of a mile early, at Treat Avenue, Mountain Avenue, or Park Avenue, and cut through the residential neighborhood and go to Glenn Street or Fort Lowell Road to bypass the whole situation. That was what was going to happen. The residential neighborhoods were going to pay the price because people were not going to want to use the indirect turn lanes. Mr. Dorn said he attended many of the Ward meetings and the RTA meetings. He knew a lot of people were not too excited about the indirect left turn concept. It seemed it was decided that the concept was what the people wanted and forced down their throats and that was the big problem.

Mr. Dorn said another problem of concern was the taking of properties. He said the road jogged left and right and effected many properties, but he was more concerned about the Bookman's Center at the southeast corner of Campbell Avenue and Grant Road. He said the alignment went north then dipped south and took the south side of the law building and the Bookman's Center. The alignment then jogged directly north and took small businesses and residential properties, leaving the frontage road intact. He said he did not understand. If the City wanted to take properties on the north side, then just take the properties on the north side. He said he understood that some small businesses had to go and something had to give. However, he could not understand why the City would buy the Bookman's Center. It was not the City's job to buy the Bookman's Center, tear it down at the cost of the citizens, and then sell back only the properties that the City wanted.

Mr. Dorn said the goal of the project was efficiency. It had to be cost effective and the best thing for Tucson. The indirect left turn concept was way in the future and would not fly in Tucson. The project needed to be reconsidered and not just take buildings, go, then chug and plug. He asked the Mayor and Council to please be considerate and think about what was going to happen if people were going to use this.

Dave Ewoldt said he had a tendency to be blunt and not worry about political correctness. He talked about the Grant Road destruction project and suggested to take a new look at the way the overall process was being done. One of the major premises of the RTA was that widening roads was necessary to reduce congestion. It also made Tucson appear to be a city ready to handle additional growth, and made it attractive to people who were desperate to flee areas already destroyed by over development. That was the case with the Grant Road project proposal.

Mr. Ewoldt said building more and wider roads ignored a number of inconvenient truths. Too much of the fragile desert ecosystem had already been destroyed by development. There was not enough water necessary to support growth, the water table continued to drop, and the Colorado River continued to dry up, which Tucson depended on to make up for the other shortfalls. The peak of global oil production which occurred in 2005, meant that the economic base for industrial growth had disappeared and global warming decreased the slim possibility that this region would be able to take care of its current population, or the population that was estimated to double by 2030 or 2050.

Mr. Ewoldt said, in all due respect, it was long past the time for a very serious reality check, along with a heaping dose of honesty, about what was going on and what they were facing. No one listened to the citizens in this process. Citizens were told that six lanes were what they would get and were simply asked what color they wanted. Not only had no one listened to the citizens, but mounting evidence was ignored that the City was headed in the exact wrong direction. When climate science, energy science and economics were considered, the forecasts of Tucson and the overall population predicted there would be fewer people driving fewer cars for fewer miles, so the widening of Grant Road was not needed.

Mr. Ewoldt urged the Mayor and Council to take the necessary steps to send the project back to the drawing board with the explicit instructions that further designs be based on a realistic set of current circumstances, instead of being based on what could be wish fulfillment for the growth lobby. Bus pullouts, right turn lanes at major intersections, better bike lanes, and planting shade trees that would reduce the urban heat island effect were all that was needed. He said the urban heat island effect was also another thing Tucson suffered from due to its size. Basically, the City should quit funding a way of life that had no future. There were alternatives that would cost less money and would head them down the path of sustainability, which was where everyone said they needed to be going. He suggested that the Mayor and Council could choose to change direction, because this was headed the wrong way.

Russell Lowes said he lived in the RTA area, lived in Arizona since 1957, and had seen a lot. Over time, he saw the average cost overrun of a project similar to this to end up between one and two hundred percent. He was concerned about there being a predatory attitude, since housing and business prices were suppressed. He asked if the City would buy out as many homes and business as they could before the prices would go back up and cause citizens to lose what they would normally get during normal times, due to the current financial condition.

Mr. Lowes said he did not play too many computer games, but instead made projections. He was the key author of a book on the Palo Verde Nuclear Plant. The book was released in 1979, and used regression analysis to project cost along with other models. He said the book was used in California to stop a couple of reactors from being built in places like Redding, Burbank, and a few other towns that had municipalities similar to Tucson and similar to Tucson's utility usage several years ago. Mr. Lowes predicted it would cost 6.1 billion dollars to build the reactor, and the utility companies

predicted 2.8 billion dollars. The project reached 5.9 billion dollars, which was a difference of four percent. The Grant Road project was going to cost more than it was budgeted for. He said, most likely, it would cost up to one half billion dollars unless property could be purchased now that was really cheap, artificially low, and would mess with people's lives. It should be taken now, and not when they would normally sell it.

Mr. Lowes said a few years ago, he and his wife were thinking of putting insulation on their home, and buying solar panels for the roof. When they heard about the RTA project, they held off on the improvements, and hoped the RTA would not go forward. He said they were going to sell their home if the RTA proceeded, because they did not want to live near an area that was intensified in traffic and would sound like an ocean of noise all day and night, and cause more respiratory problems. He said the whole thing seemed absurd to him.

Mr. Lowes said the City would be building a six-lane highway near a freeway, through an area where transportation was dropping. Even though gas costs were down, and auto use was down by over ten percent nationwide, our economy has been based on service and based on a financial services economy. He said it was like handing over a lot of wealth to the rest of the world. The United States economy would probably never fully recover. There would be times where it may do alright, but then it would go back down. The City needed to start acting as if the future was actually coming.

Mr. Lowes said people needed to act as if there was global warming, and drivers did not need to increase their actual miles per passenger, from fifteen to eighteen thousand miles per year. Phoenix drivers used eighteen thousand miles per year, and Tucson drivers went between twelve and fifteen thousand miles per year. If the road would be improved, it would become a transportation road for people to go from one side of the valley to the next at a much faster speed. It would open up the areas for working at future plants that would be built here, and that was what happened in Phoenix. He said he lived in Phoenix for quite some time. Once the freeway went through, the miles driven went way up and the pollution went proportionally up, faster than the population growth.

Mr. Lowes said those were his concerns and he very much opposed the project. He made comments at two public meetings and they were ignored. He said he felt the process was not a decent, respectful process and was one of pretense. He acknowledged that City staff had put forth a lot of effort, but overall, the impact on the community would be way too great, and consideration had not taken place that needed to take place.

John Wakefield, business owner of Artistry in Glass on Grant Road, said his concern was that his business would be demolished. He had been in business on Grant Road for twenty-three years, and owned a building on Grant Road for twelve years. He said Grant Road was almost unique among Tucson thoroughfares because it did not contain big box stores, large shopping malls, or large shopping centers. It was uniquely characterized by a wonderful mixture of small businesses. He said this kind of diversity was important, not just because small business put back profits into the community,

unlike the big box stores and not just because of the wonderful diversity, but for the fundamental economic reason, which a lot of Council Members did not understand. It was the small businesses, such as the mom and pop stores, the upholstery shops, the numerous antique stores, the framing stores, his art glass store and all the repair shops that could not afford the types of rents charged in California-based business property centers, which ranged from three to four thousand dollars a month. The small businesses actually survived and prospered on Grant Road simply because of the eclectic older and interesting buildings. The bottom line was, if these buildings were demolished, they would not come back.

Mr. Wakefield said people suggested that he sell his building to the City and he could just build another one. He said those people were living in cloud cuckoo cuckoo land. Just to hire an architect was expensive, and to build a building was ludicrous. If those small businesses were demolished, they would lose a substantial amount of income during the reconstruction process, which would certainly not be recompensed by the City. The prognosis they faced during this dire economic circumstance was that companies and family businesses that managed to survive, pull through this chronic depression, and managed to get through these two or three years, would then be hit by a whammy, another sandbag, by the fact their sales would go down because of the widening. It would cause carnage to the small business community. There was no question about it; those people could not survive.

Mr. Wakefield said he could see the future where the consultants would be behind the small businesses slurping their strawberry daiquiris, and there would be a magnificent Grand Road thoroughfare, a boulevard with beautiful trees, bicycle lanes, solar panels, dog access and wonderful tree lined pedestrian sidewalks. The only trouble was that there would be no businesses for the pedestrians to walk into. He said he agreed with previous speakers. The pretense of the meetings was wonderful. They were extraordinary, expensive meetings with focus groups. However, they ignored the crucial point that thousands of people would lose millions of dollars, when all they needed to do in these chronic economic times was install new bus pullouts, put in right turn lanes, fix the intersections, and stop the chronic disruptions. He urged the Mayor and Council to vote against the project and said change could still be done.

Susan Compton, business owner of Bay Horse Tavern, said she contacted a few of the Council Members and their representatives. She thanked the Council Members for listening to her. She said she was concerned about a few things that had already been mentioned. Her concerns regarded the environmental aspect of the project. During the widening of Wetmore Road that went from Tucson Mall west toward I-10, there were a few things that were done well and a few things that made one wonder just how this was going to be sustained in the future. She said there were a lot of trees, landscaping, curvy things, and a lot of water being used to maintain the landscaping. Since they had to live here in the future, this caused her great concern, especially since she understood the widening would consist of six lanes, each lane eleven feet wide, with median widths of varying degrees and five foot bike lanes on each side, which would add another ten feet. She said that was one hundred thirty-seven feet minus approximately seventy or eighty

feet, which was a lot of landscaping that required a lot of water to be used on the medians.

Ms. Compton said she had a conversation with a lady across the way from her business, whose comment was that the road was only congested for two hours every day, otherwise it was not. There was one thing that was done with the Wetmore Road widening that made sense. They put together four options and located all the property owners that were affected by the project. They let the owners vote and the tax payers, in their wisdom, voted for the option that cost the least amount of money. She said the road was not perfect and she did not like it, but she voted on exactly what she got, so she could not complain.

Ms. Compton said she was totally concerned about the impact the project would have, for all the same reasons everyone else was concerned. However, the other reason was that she was the second owner of the Bay Horse Tavern. The business was sixty years old. She bought it when she was young and now was approaching the same age that the people who sold her the business were at that time. After thirty years of owning the business, she had not planned to look for a new career at her age. She would if she had to, but did not want to. She urged the Mayor and Council to try other options for all the same reasons.

Ms. Compton also asked how much money was being allocated for overruns and who would pick up that tab. She said she was in Tucson since she was eighteen years old and was not happy with how the budget process worked. If she did not have enough money to pay bills, she would cut costs and she did not see where government did that. Ms. Compton said she would like to see someone be responsible besides all the people in the community who were paying taxes.

Robert Reus said he presently drove down Grant from downtown and also had a business on Fourth Avenue. He had to come and go everyday and would not always drive Grant Road unless he was shopping in the vicinity. Presently, he stopped at several intersections and sometimes hit more than one light. When he approached Swan Road, he would just get a traffic light, then continue to make a left turn. He was told in the future, he would have to stop, not only at every intersection, but stop a block after to accommodate left turns. Then, when he would get to Swan Road, he would be forbidden from making his left turn to get to his house. He would have to drive another block, wait for the light at Swan Road to change, drive to another block, wait for another light to change, make a U-turn, and wait for the Swan Road light to change again, just so he could drive into his neighborhood.

Mr. Reus said the number of stop lights was being doubled on Grant Road and that forced people to drive two extra blocks and make two extra turns and that was what Mr. Glock called facilitating traffic. He said it was silly. However, he said he should not worry about it because he would need to sell his house and would not commute an hour each way during five years of grid lock. He would sell his house and buy another home closer to his business. He said his business was doing well where it was and it was not

going anywhere. He would just be forced to sell his house, because if he did not, he would have twice as many red lights to deal with on Grant Road. He would have to travel two extra blocks with two extra lights just to make a turn, and that was not going to work for him.

Mr. Reus said that over two hundred businesses would be affected and asked if the City had figured out how they would get by without the sales tax those businesses generated. Grant Road was a business incubator. The buildings were old and that was why people could afford to pay the rent. That was also why he was on Fourth Avenue, because he paid affordable rent and had pedestrian traffic. For Grant Road businesses, that would all be gone and would be history. He said people would be underpaid due to the low property values. Speculators would come in and make a killing. The big box stores would then come in, and the character of the neighborhoods would be gone. Also, every adjoining neighborhood would have six lanes of rushing traffic to listen to, not to mention the extra exhaust the traffic produced.

Mr. Reus said, as other speakers had mentioned, the cost overruns would be expensive. He said he did not expect the Mayor and Council to do anything because Tucson's was a City Manager form of government and that was the way it was done. The City took care of the developers, the construction industries, and the big people who had connections. If the people in the neighborhood had to leave, it would be prohibitive for him and people like him in the same situation to commute in the future for five years and that would be just too bad.

Robert Tait, a business owner, a managing partner for Unrein Investments that owned the one hundred block of west Grant Road, and also president of Budget Insurance which was a tenant, said he opposed the RTA initial tax vote. Every time he wrote a check for the one half percent tax to the State, he thought of the vote. He wanted to be a part of the project, so he volunteered to be on the Grant Road Corridor Planning Task Force, because he knew the project would impact his business.

Mr. Tait said what he had to say reflected what he had heard from the audience. He asked the members of the task force, who did not get a chance to speak, to stand up. He said all the people who stood up were either business owners or residents on Grant Road. They did the very best job they could have possibly done regarding the alignment. He understood the Council wanted to hear about the alignment, and not about the final details or the Michigan left turns. He said he was not crazy about Michigan left turns and his mother was from Michigan. However, one of the benefits of the Michigan left turn was that it did cut down exhaust, because vehicles were not sitting and idling at traffic lights waiting to turn. It kept things moving.

Mr. Tait said one of the things the Task Force talked about was how they were going to educate the public to make it work. He said all the details had not been worked out but the task force had at least a start on improving things on Grant Road, and it was not just about the cars.

Mr. Tait said, as a business owner, he was also very concerned about how his business would survive. It was a very real possibility that he may lose tenants during the construction phase and would just have to deal with it. Like the owner of the Bay Horse Tavern said, and as a small business owner, he would need to figure it out and he would.

Mr. Tait said one of the things the task force looked at when trying to come up with the alignment for Grant Road was to create sustainability for the neighborhoods, to find a way to keep small businesses alive, and to find a way, while taking properties, to find new uses for the properties that were there. That was what they were hoping to accomplish, but they were just at the beginning of the project. He said he could not believe he volunteered to be on the task force; it was going to take five years of his life.

Mr. Tait also said it was the plan of the task force to be able to present the Mayor and Council with a finalized plan in 2011 that was sustainable. Maybe by that time, the economy would be back. He said that one of the bad things about a turned down economy was that it was a good thing for the government if they bought land during that period. He said he was one of the citizens who would be affected by the project and knew part of his property would be taken by the Grant Road widening and specifically for the bulb-out for the U-turn on Stone Avenue.

Mr. Tait stated one of the things the task force members were proud of, was how open their meetings were. The public was invited and they had community meetings where huge maps were laid out on tables, and they asked everyone for their opinions and comments. They had over four hundred comments from the public and every comment was recorded. As task force members, they looked at all the comments, read and studied them, and took them into account. He said there was still a learning curve and there were some things that could have been done better in the alignment, but hindsight was twenty-twenty. As the project moved forward, changes would be fine-tuned, and that was what he thought the Mayor and Council needed to hear.

Mr. Tait concluded that, as a member of the Grant Road Corridor Planning Task Force, he felt his voice was heard. He did not get everything he wanted, and was not completely happy with it, but he could live with it. He said the project would not just improve the traffic on Grant Road, but as they would get further into details, they would work on how it would affect the neighborhoods. People said to keep Grant Road funky, keep it curvy, and not make it a big straight street. That was what the alignment showed and one of the things the task force wanted to continue to try to do.

It was moved by Council Member Trasoff, duly seconded, and carried by a voice vote of 6 to 1 (Council Member Scott dissenting) to close the public hearing.

Mayor Walkup thanked the audience for staying, listening and talking about the subject. He announced the Council would now continue with discussions on the item and commented that it was an extraordinary and important process they were going through. He also thanked the Grant Road Corridor Planning Task Force for conducting meetings for the last couple of years, and the City staff who attended many public hearings.

Mayor Walkup invited the audience to stay through the continuation of the process of the public hearing.

Mayor Walkup asked the City Clerk to read Resolution 21190 by number and title only.

Resolution No. 21190 relating to Transportation; approving the Recommended Alignment for the Grant Road Improvement Plan; authorizing and directing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, certain real property necessary for the Project; and declaring an emergency.

Mayor Walkup recognized Council Member Trasoff.

Council Member Trasoff said this was an incredibly difficult decision that was facing the Council. She said she, along with Vice Mayor Uhlich, helped to begin this project over two years ago and went into it wary, because of the public process. It seemed that in the past, the public had not been included, and all of the details and passion had not been heard.

Council Member Trasoff said her concerns were allayed in the first meeting, and she had never seen a process quite like this one that was so open and so inclusive. From the first meeting, everyone had a chance to speak, every table had a big white sheet with the map of the road, people with colored pens could mark what they were passionate about, and what they wanted to see and did not want to see. There was a lot of thought that went into the first meeting, even before the Task Force had started. The Task Force was then named and represented every interest where there was a concern about Grant Road.

Council Member Trasoff said it was completely opposite from what happened on Speedway Boulevard, where it was just widen it and go. She said it was a different time, and she made no judgements about it. It was a conscious decision to try to do something different with the Grant Road process, and to make sure they were not just creating a thoroughfare, but a roadway that would be reflective of the community. One of the things that came out of the process was that Grant Road was not just a road, unlike Speedway Boulevard, which had become just a road. Grant Road had a section that went from the freeway to Campbell Avenue, and then there was a completely different feeling when traveling from the Tucson Boulevard/Country Club area to Swan Road. The panelists understood that concept and there was strong concern from the community. Council Member Trasoff said what was trying to get accomplished was a twenty-first century roadway instead of a twentieth century roadway, and not just intersections to move cars through. She said that would not serve the community. What the community wanted was to find an efficient way and not just a faster way. For something to be sustainable, it had to include bicycles and pedestrians, and not just address the intersections.

Council Member Trasoff added that there would be business consultants who would work with every business, whether the businesses would stay or leave, to help them transition into a new location or to help them find survival techniques. This was done downtown with the I-10 widening and the Fourth Avenue underpass, and would be a concerted effort.

Council Member Trasoff said she heard concerns that this project would be a five-year process. She concurred it would take five years to complete, but said all of Grant Road would not be torn up for those five years. It was important to note that the process would be done section by section.

Council Member Trasoff mentioned that a few people had commented that the money being used for the project could be used for other things. She said the money could only be used for this project. The money designated for this project could not be used to fill potholes or other things. She repeated that the money was designated only for this project and approved by the voters overwhelmingly.

Council Member Trasoff said the roadway would be designed in a way to protect neighborhoods and would mitigate noise, not amplify it. She said she could really hear the passion of the people who were speaking. Their comments were very thoughtful and they raised very valid questions. However, most of those comments were raised during the process. Council Member Trasoff asked Mr. Glock for an example of a serious concern that was raised during one of the meetings, and how the panel addressed that concern. She said her understanding was that a mission and values would be established, so decisions that were made would be consistent. Again, she asked Mr. Glock to give an example of a controversy or question that was raised, and the process the panel undertook to address it.

Mr. Glock explained that before the engineers were let loose with their graphic design tools and the engineering drawings, the task force had spent a tremendous amount of time and took the input of thousands of comments they had heard during the listening sessions and the public dialog, to establish the vision statements and guiding principals. As they took the public input received during the thirty-day comment period and struggled with, for example, in the First Avenue and Grant Road alignment question, the statement and guiding principals that were established based upon the public input were used to base the recommendation on what to ultimately do. In that particular case, they stayed with their original alignment and elsewhere, they called for shifts in alignment to address the concerns that were raised. He said they were all based upon the vision statement and guiding principals that were established as part of the public input that they had heard and sifted through as a result of the overall community input.

Council Member Trasoff thanked Mr. Glock, and said the final thing she wanted to say was that there was a lot of pause for concern to consider what the public had said and it made her think a lot more about the project. She assured the audience that if the project were to pass, the alignment would be a rough alignment and a guide, because the surveyors still had to do a precise alignment. Council Member Trasoff said it was her

sincere hope as the project moved forward, that staff would continue to work very closely with those who were most directly affected, to see what ways they could mitigate. Council Member Trasoff said whether it was the Bay Horse Tavern or an individual property owner, she wanted to make sure people would be kept whole during the process to the best of the City's ability.

Mayor Walkup asked if there were any other comments.

Vice Mayor Uhlich said she received some advice immediately after the Regional Transportation Authority (RTA) election, as the representative of the area most dramatically affected by the plan and, particularly, this roadway. She said that advice was to "duck," which was no surprise. She would never fault anyone who fought hard for the city that they loved. She appreciated that action and also appreciated that everyone was present to engage in that struggle.

Vice Mayor Uhlich said the City did not "duck," and immediately held a public town hall at Salpointe High School. She said, as Council Member Trasoff noted, even though the voters approved a plan in the region that included the roadway, the City wanted to do the very best they could by way of process that included participation and transparency to harness the intelligence, passion and right thinking of the people of Tucson to shape this roadway. With the passage of the RTA which was the governing body for the plan, the City actually participated as an implementer of the voter-approved plan. She said it was her understanding that the RTA board was the authority and if the plan were to ever be revisited, the RTA board would be the one to deliberate on that matter. She asked the City Attorney if that was correct.

Michael Rankin, City Attorney, concurred and said under the Statutes, there were certain types of changes to the plan that the voters had already approved that would necessitate going back the voters for additional approval. It would be up to the RTA in those instances to send it back to the voters for that action.

Vice Mayor Uhlich said citizens should be aware of the process and needed to exercise their rights as citizens to engage with each level of government which included the City, County and the RTA board. Having said that, and in the spirit of trying to shape this roadway to the best ability possible, she thanked the citizens on the task force because they also did not "duck," but stood in a very long deliberative process to the best of their ability, to incorporate what was heard and made this as sustainable a roadway as possible. It also included the potential future accommodation for light rail, rainwater harvesting within the median and within the landscaping, much better accommodation for pedestrian and bicycle use, and elements she realized many would support and were integrated into this plan.

Vice Mayor Uhlich said there were a couple of things noted at the very beginning of the process that were essential. As an opening invitation to the process, they wanted to make sure the process would proceed to the full extent of the plan that the citizens helped to design. In the very beginning of the process, several times she and

Council Member Trasoff asked Mr. Glock and those facilitating the process if there were any constraints or anything that would change the course, and if those things could be stated at the front of the process. She asked if there were any constraints or factors they should have been aware of earlier in the process that would have affected the alignment that would have violated the spirit or vision that was before them.

Mr. Glock said the one constraint they had to abide by, as stipulated on the ballot, was that the roadway had to be six lanes. He suggested the task force members could step forward that evening to say whether or not they felt they had been constrained in any other way. The task force utilized a consultant team to apply a new design technique known as Context Sensitive Solutions. With respect to approaching the new design technique for the roadways, they were not necessarily looking at following the guidelines used in the past. They actually recommended a speed limit lower than what was currently posted. They also looked at active and passive rainwater harvesting and things that had a price tag associated with them but at the end, were reflective of the community values that were heard during the listening sessions Vice Mayor Uhlich and Council Member Trasoff held early in the process.

Vice Mayor Uhlich thanked Mr. Glock and reiterated that the very best would be done in the process to hold to the principles that were stated and the alignment that was before them. It was important, after such a process, that all the good efforts were honored and respected and that they would fight to make sure that would be the case throughout the process.

Vice Mayor Uhlich said she wanted to note a couple thoughts regarding concerns about the budget and resources. There was advocacy to only work on the intersections, which again, would violate the voter-approved plan and was not within their authority to change. She said she wanted to ask a question and have it noted in the record whether there was an understanding of an intent to implement phases by starting with the intersections, so if there was a resource question, at least resources would be directed in the areas of the intersections and on either side as the starting phase.

Mr. Glock said the phasing of the project would be discussed and pondered by the task force over the next year. The task force clearly recognized that making improvements to those intersections where there were obvious congestion problems, where pedestrians were challenged to get across the roadway, and intersections with higher accident rates, would most likely to be the ones recommended to pursue before others. He said he did not want to speak for the task force or the process that they were about to embark on in respect to the ultimate phasing, but from a technical and professional perspective, making those investments early on in a strategic and methodical way had a lot of virtue.

Vice Mayor Uhlich said the task force members understood one of the concerns was ending up with a skeleton of a roadway all the way down without the full vision, so how that would be phased and how the work would be done was critical. She said she appreciated the task force members who were participating in the project.

Vice Mayor Uhlich said another question she wanted to make sure was on record would be directed to the City Manager, since the Council was working with different staff under his supervision. She said there were very serious concerns directly expressed about some of the affected properties and they did not want to lose the viability of a shopping center as essential as the one at First Avenue and Grant Road. It was her understanding that it should be possible, without changing the task force recommendation, to continue to work with those property owners and others who have stepped forward to mitigate and find reasonable solutions there. She asked if that was correct.

Mike Hein, City Manager, said that was correct.

Vice Mayor Uhlich said she understood the negotiations would proceed with the property owners, and one of the clear goals was that they sustain the viability of the commercial properties and find ways of making that happen with the current alignment.

Mr. Hein replied the statement was correct and said staff understood the direction from the Council. As the staff report written by Mr. Glock and others reflected, the process was at the beginning and not the end. If the alignment was adopted, there would be properties that would certainly have to be acquired, or portions that would have to be acquired, and that was something that would have to be authorized to begin negotiations. As members of the public and others had indicated, there were approximately four hundred comments received on the alignment concept. Mr. Hein said some of the comments did not receive a direct response because that came during the design process. Some of those issues would be addressed in the next phase if the Council directed to move forward.

Vice Mayor Uhlich said the understanding would be that negotiations would be made in good faith with each property owner. As noted by Council Member Trasoff, there were serious and sincere concerns about the well-being of the people who were entering into that process. Some people expressed a sense of gratitude because they would be selling their property in the process, and others were clearly very concerned. She said she wanted to make sure there was that level of responsiveness.

Vice Mayor Uhlich said the final thing she wanted to note, as mentioned earlier, was that the next phase in the process would be land use planning. She said the community was progressively moving toward land use planning that recognized the wisdom of transit-oriented development. This was not just about the roadway, but about land uses along the roadway, how to leverage transit services, and the important function the corridor would fulfill. What would be put along the roadway, how they would work with the task force, and to sustain, as best as they could, the quality of life in the area would be the highest concern and the greatest goal.

Mayor Walkup asked if there were any other comments.

Council Member Romero thanked the task force and City staff for their hard work and said this project still had a way to go. She said she wanted to bring up a question previously asked by Vice Mayor Uhlich about the Mayor and Council's purview concerning the voter-approved RTA plan. She asked Mr. Rankin what the Mayor and Council's purview was regarding voter-approved RTA projects, such as the Grant Road Project.

Mr. Rankin said one point was made several times and he would repeat it again. For the RTA to authorize the use of the excise tax monies, it would have to be consistent with the RTP (Regional Transportation Plan) that was approved by the voters. He said he understood the issue that had been repeatedly raised was that this particular project was described in the project list in the ballot materials as widening Grant Road to six-lane arterials, along with street scaping, bike lanes and so on. If the local jurisdiction, the City of Tucson, wanted to do something different than that, that was not consistent with the will of the voters. He said he could not speak for the RTA, but he would expect the RTA would say that if something different would be done, the RTA would not pay for it. They would only pay what was consistent with the plan that would be able to be furthered through the RTA monies and that was what was being presented.

Mayor Walkup said he had a question and a couple of comments. He heard a comment that was made on an alternative that would save money. He said one thing mentioned by the Council was that the City was entering into a precise period of understanding and asked if the savings could be validated if the alignment was altered by a minor degree. He said he appreciated what was discussed and was mindful of emerging information that might make the project more productive, more efficient, more effective, and more cost effective. If this project were to be approved, he wanted to be assured that all recommendations would be carefully considered to improve the function of the alignment, to be able to save money and make it work better. He said that was the first order of business.

Mayor Walkup said his office received a number of calls from people who asked, if the City were to take over their property, how soon could they start implementing the process by obtaining an appraisal and receiving compensation for their property, so they could move to another area or move to something else. He asked Mr. Glock to give a summary of the process and the earliest time, if somebody knew their property would be taken, that they could get compensation.

Mr. Glock said the phasing of the work would clearly dictate the needed timing of the acquisition. They would like to have the acquisition relocation occur as close to the construction phasing as possible. As they returned to Mayor and Council, and should the alignment be approved with that phasing concept, it would set the tempo and the pace for those conversations. However, Mayor and Council had a long-standing policy that was still in effect for an advance land acquisition program. That policy included property owners who had medical or financial hardships and property owners who had hard and fast development rights on their property and would like to develop and the City would like to acquire that property and also, as Mayor Walkup pointed out, if there were

property owners who wanted to have some assurance regarding their acquisitions, their relocation, and perhaps would commit to stay on the corridor until construction occurred, but wanted their acquisitions resolved. All those could be considered and brought back to Mayor and Council on a case by case basis.

Council Member Leal said he wanted to thank Vice Mayor Uhlich and Council Member Trasoff for shepherding this project forward with staff. It was not at all easy and was big and complicated and had many parts to it. It had to be figured out and decisions had to be made along the way. He said a number of the speakers were illustrative and helpful and wanted to run a needle and thread through some of it and pull some of the comments together that had helped him.

Council Member Leal brought up Mr. Gugino's comments regarding the challenge of how sustainability would be married at the macro level and at the neighborhood level through a design, and if, at the end, the design would facilitate two levels of sustainability. The graphic Mr. Gugino presented raised questions about the City losing sales and what made a livable, sustainable neighborhood. One of the things that did that was convenient adjacent retail. There were nine residences on the south side of the street that were going to have a more unpleasant environment to live in than before the street would be worked on. Council Member Leal said that was backwards. The intent was not to try to enhance residential occupancy and should not be facilitated on a street of that sort, it should be commercial. At the same time, and the way the alignments were set up, it could create problems for commercial. It was right that more attention should be paid to that and to make sure an attempt would be made to fix it. Council Member Leal said the concern he had at this junction of the process for that kind of contradiction and anomaly to still exist, pushed back his comfort level. He questioned if it was premature and if it could get this far like this, whether there was anything else, because once it was done, it would be over forever.

Council Member Leal said another concern that was brought up was regarding the concept of the left turn system and the question of people avoiding the intersection, causing the drivers to cut through the neighborhoods. He thought this was a legitimate concern and wanted to hear from staff how this problem would be addressed. Council Member Leal said, as previously stated, there were limitations as to what could or could not be done in terms of what was on the ballot. He wanted to make sure this was not being done prematurely as far as design considerations like the one Mr. Gugino raised. Council Member Leal asked Mr. Glock to explain, in terms of the way the left turn system was designed to function, the unintended consequences of the design which, in the approach, would allow making a cut through the neighborhoods.

Mr. Glock explained the access issues surrounding the neighborhoods, regardless of the intersection type, was one of the key elements of the next phase of the project. He said, frankly, the reversible lanes were the genesis of the Mayor and Council Neighborhood Traffic Mitigation program, and the City became adept at addressing cut-through traffic issues through the community. If Mayor and Council supported moving forward with the project, the issue of how the roadway would be designed and

the access to it, to prevent that type of driver behavior, would be placed front and center. At the same time, they were trying to achieve one of the goals addressed during the first meeting, up through the end, which was what could be done to improve access across Grant Road. Mr. Glock said presently, there was a five-lane roadway with no refuge in the middle and it would be going to a six-lane roadway with a refuge to improve pedestrian and bicycle crossing across that roadway. That was one of the features of the indirect left turn/U-turn concept that brought some of the detractors back, because of the opportunities relating to that. At the same time, it was recognized and was high on the list for the next phase of the project to address the access issues for the neighborhoods.

Council Member Leal said there were tools in the toolbox that were developed over time. For example, when the south Sixth Avenue project was done, some of the neighborhood streets were dead-ended to prevent arterial traffic from cutting through the neighborhood, and that worked.

Council Member Leal said he also questioned the description of PELICAN crosswalks (Pedestrian Light Controlled Activated crossing) along the corridor for people to navigate crossing north or south. He asked if they had covered roofs.

Mr. Glock said it was far too early in the process to discuss that level of design detail but most certainly, and given the experience on south Sixth Avenue, they would contemplate that issue, as well as what they characterized as “two cans” – the type of crosswalk where two pedestrians could cross at one time - which were installed at University Boulevard and Stone Avenue, that facilitated bicycle and pedestrian crossing, but still allowed vehicular access, as well. Mr. Glock said, as Council Member Leal pointed out, there were more tools in the toolbox than in years past and the City expected to deploy them all.

Council Member Leal said there was a PELICAN with a roof on south Sixth Avenue, in the area of Eighteenth Street or Nineteenth Street, and it resembled a New Orleans-looking thing. The point was not just to make it look like a streetcar, but if there was not a roof in the middle of the PELICAN, when it became hot or rainy, there was a temptation for people to flee and possibly get run over. He said it cost more, but having PELICANs with roofs should be more normative than the exception. As the design phase moved forward, it would be good if this could be done because it would be unique and add character, as well as safety.

Council Member Scott thanked those who participated so intensely. Their time was precious and she appreciated all the time that was donated to this particular project. She said there would be more and she expected they would be their sages, from the resident wiz kids on this particular project. She said what she heard that evening was that there was a huge, long process with ample opportunity for people to come to the table and they understood from the beginning that the City Council had to legally abide by the rules of the RTA, which was passed by the majority of the community. Council Member Scott said new alternatives brought forward that evening would have been considered earlier on in the process, but possibly not legal, because it was stated in

the presentation to the public that in the RTA, there would be six lanes on Grant Road. That was what the City had to abide by; that was number one. Then there was the continuous balance between neighborhoods and businesses. The businesses were small in nature and the small businesses were the backbone of the economy of the entire United States. As many big box stores that could be put together, it was the small businesses that really produced a lot of the jobs and income. That balance between the neighborhoods and the businesses was what she heard was being considered heavily during the deliberations. She was aware that issue was not overlooked.

Council Member Scott said she also heard there was flexibility with regard to those lines on the paper that indicated the projected alignment lines and asked Mr. Glock how many feet each line represented.

Mr. Glock said if the lines in the general graphic were to be transposed on the ground, they would be about six to ten feet wide. During the next phase, they were going to try to nail down the alignment to give a fair amount of design flexibility with respect to overcoming some of the challenges that were heard by the City, that the task force heard, and those were the challenges the Mayor and Council would need to address.

Council Member Scott said there was flexibility built into the concept of the overall projected alignment of the new Grant Road. The flexibility, the balances of neighborhoods and businesses, and the proactive interface with the City and the businesses and how they would be affected, would be done in phases. The entire street would not be five miles of construction. That was amply clarified. She said the earliest start date would not be the following day, and asked Mr. Glock what would be the earliest start date of any phase of the roadway.

Mr. Glock said at that point in time, the RTA plan called for the construction funding to be available in the year 2013. Should an element of one of the phases of the plan be moved forward, Mayor and Council would have the ability, if they so chose, to seek funding to be moved up. At that point in time, they were working with a 2013 start date for construction of the first phase. He said funding for the project was over a ten-year time frame and would be done in distinct construction projects.

Council Member Scott said they were in the year 2009 and the money would not be available until 2013. That suggested there would be room for more discussion, more input, and more flexibility. It would not be extreme flexibility like canceling the whole project, but certainly, a degree of modification as needed and requested by the property owners, because they were the ones who were most grievously affected by the project. Council Member Scott said that concluded her comments and it should be clear to all present that this was a good process.

Mayor Walkup asked if there was further discussion. Hearing none, he asked for a motion.

It was moved by Council Member Trasoff, duly seconded, to pass and adopt Resolution 21190 and to direct staff, as the project would move forward, to continue to work closely with those most directly impacted by the alignment, both homeowners and businesses and the general community.

Mayor Walkup asked if there was further discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Scott, and Trasoff;
Vice Mayor Uhlich and Mayor Walkup

Nay: Council Member Leal

Resolution 21190 was declared passed and adopted, and staff was directed, as the project would move forward, to continue to work closely with those most directly impacted by the alignment, both homeowners and businesses and the general community, by a roll call vote of 6 to 1.

RECESS: 8:32 p.m.

RECONVENE: 8:49 p.m.

(NOTE: Six members of the Mayor and Council were present; Council Member Leal absent/excused)

9. PUBLIC HEARING: ZONING (C9-03-22) MOUSSA – CLEARWELL ROAD, SR TO R-1 ZONING, CHANGE OF CONDITION, 90 DAY TIME EXTENSION, AND ORDINANCE ADOPTION

Mayor Walkup announced City Manager's communication number 26, dated January 13, 2009, was received into and made a part of the record. He also announced this was the time and place legally advertised for a public hearing on a request for a 90 day time extension and a change of rezoning conditions for property located on the west side of Clearwell Road, southwest of the intersection of Starr Pass Boulevard and Players Club Drive.

Mayor Walkup asked if the applicant was present, and if he had any brief comments to make before the public hearing.

Albert Moussa, owner of the property, said he had no comments.

Mayor Walkup called the first speaker.

Jeffrey Stanley, engineer of record, said it was a nice project, and he would answer any questions the Mayor and Council had.

Mayor Walkup asked if there was anyone else wishing to be heard on this item. Hearing none, he asked for a motion.

It was moved by Council Member Trasoff, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Leal absent/excused) to close the public hearing.

Mayor Walkup asked the City Clerk to read Ordinance 10623 by number and title only.

Ordinance No. 10623 relating to zoning: amending zoning district boundaries in the area located on the west side of the realigned Clearwell Road, approximately 150 feet west of Avenida Del Correcaminos and approximately 1,700 feet southwest of the intersection of Starr Pass Boulevard and Players Club Drive in Case C9-03-22, Moussa – Clearwell Road, SR to R-1; and setting an effective date.

Council Member Romero thanked the applicants for their immediate communications with the Ward 1 Council Office. She encouraged the applicants to continue communicating with the Ward 1 Council Office throughout the process.

It was moved by Council Member Romero, duly seconded, to approve the request as presented and pass and adopt Ordinance 10623.

Mayor Walkup asked if there was further discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Scott, and Trasoff;
Vice Mayor Uhlich and Mayor Walkup

Nay: None

Absent/Excused: Council Member Leal

Ordinance 10623 was declared passed and adopted by a roll call vote of 6 to 0.

7. CONSENT AGENDA – ITEMS A THROUGH J

(NOTE: Consideration of the Consent Agenda resumed.)

Mayor Walkup announced the Mayor and Council would revisit Item 7, Consent Agenda, for the purpose of approving the emergency clauses.

Michael Rankin, City Attorney, announced at the time the Mayor and Council approved the Consent Agenda, only four of the Council members were present. He asked the Mayor and Council to entertain a motion to approve the identified items with respect to their emergency clauses.

It was moved by Council Member Trasoff, duly seconded, to approve the identified items in the Consent Agenda with respect to their emergency clauses, excluding Item G.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Scott, and Trasoff;
Vice Mayor Uhlich and Mayor Walkup

Nay: None

Absent/Excused: Council Member Leal

The motion to approve the identified items in the Consent Agenda with respect to their emergency clauses, excluding Item G, was declared passed and adopted by a roll call vote of 6 to 0.

10. PUBLIC HEARING: REPEALING SECTION 3303.7 OF THE CITY OF TUCSON BUILDING CODE, “DEMOLITION IN THE HISTORIC CENTRAL CORE”

Mayor Walkup announced City Manager’s communication number 32, dated January 13, 2009, was received into and made a part of the record. He also announced this was the time and place legally advertised for a public hearing on the repealing of Section 3303.7 of the City of Tucson Building Code, “Demolition in the Historic Central Core” and direction to develop a *Land Use Code* Amendment relating to documentation of historic structures. He said the public hearing was scheduled to last no more than one hour and speakers would be limited to five-minute presentations.

Michael Rankin, City Attorney, announced he would give a quick introduction of the item before any speakers came forward. He said the Mayor and Council were presented with an ordinance which would repeal Section 3303.7 of the City of Tucson Building Code. This was a section that was adopted as a local amendment to the *International Building Codes*. After a public hearing held June 12, 2007, and the Council may recall in 2008, a lawsuit was brought forward that challenged the process under which this Code was adopted. Essentially the argument was that this was a zoning ordinance and should go under the statutory procedure for the adoption of a zoning ordinance, rather than being adopted as a Building Code amendment. The trial court agreed with that position and declared the ordinance void.

Mr. Rankin said the recommendation at this point was, in fact, to repeal the ordinance, which would be accomplished by adoption of the attached ordinance, and also to give additional direction to staff to engage and initiate the process for the development and consideration of the amendment to the *Land Use Code*, the Zoning Code, under the statutory procedures that would provide for the documentation of important historical and architectural features in the City. That process would also be used as an opportunity to refine the ordinance with respect to where it would be applied, how it would be applied, and how it would be administered. Mr. Rankin said City staff would work closely with the Historical Preservation Officer, Jonathan Mabry, to make sure the provisions could be easily administered, and also easily complied with by the people who were subject to it.

Elbert Jones, retired US West Communications manager, said he wanted to talk about the non-profit organization called the Beau Brummel Club. He said the Club and the building had been in existence since 1954, and the organization started in 1936. What constituted the all-black establishment was that, back in the days, there were not establishments African Americans could go to. During that time, the Cleveland Indians got together and loaned some money to build a building for some social entertainment and a place where people could stay. He said he had been in the organization since 1975, and now the building was at the point of being torn down. Mr. Jones introduced Rick Fuller, the newly-elected President, to say a few words and to also give Mr. Fuller an idea of what they would be tackling together. He invited Mr. Fuller to come forward.

Rick Fuller, President of the Beau Brummel Club, said he had been in the Club for approximately five years and was one of its youngest members. His father and grandfather were also part of the organization and among the first members who established the Club. It was a legacy for him and he was honored to be the President. He said some of the past and present members who had frequented the Club were Al Longmire, Chuck Ford, Attorney Ruben Salger, Ricky Hunley, Lamonte Hunley, Willie Williams, Fred Snowden, and Kenny Lofton, professional baseball player and former track and field athlete. Mr. Fuller said every year they gave money to organizations such as Toys for Tots and Santa Claus came to the Club and gave out hundreds of toys. They also sponsored an Easter Egg Hunt at Northwest Center. The Beau Brummel Club was a community organization, an historical organization, and the only African American organization in Tucson. He invited the Mayor and Council to visit the Club.

Richard Basye said he wanted to test freedom of speech and said he was told that it was legal to express his views at a public hearing. He said Mr. Rankin could control him if he wanted to, but he was going to speak. As a citizen, he wanted to talk about the Grant Road widening item that recently passed. He said if Mr. Rankin wanted to say he was out of order, he could, but this was a public forum.

Mr. Basye said the Regional Transportation Authority (RTA) had already acknowledged there was about a two billion dollar shortfall of what was needed for the roads, even though the community passed the one half cent sales tax. So, the City could

not afford to be wasting money. It appeared that when the Pima Association of Governments (PAG) stated that this project would be the gold standard, they meant it would cost a pot of gold; that was what they really meant.

Mr. Basye said he wanted to comment on the City taking over two hundred businesses and many homes for the project, and having them bulldozed and taken off the tax rolls. It would also affect the school district and City income for many years, and that was questionable. He mentioned that the Speedway Boulevard project involved far fewer businesses and homes, and it took twenty years to get those vacant lots filled with businesses. Even to this day, there were vacant lots on Speedway Boulevard where there used to be businesses. He said there should be more thought given to what was being done.

Mr. Basye said another issue he was concerned about was what he called the U-turn/left turn. He said Transportation Department staff told him this type of project was done in Michigan three years ago. Mr. Basye said he asked what other states had adopted this concept, and was advised that no other states had adopted the concept as of yet. He said if it was such a good idea, the word would have been out, and this type of project would be in place in other areas. He said he could understand if this was just an experiment to see if the project would be able to work in one location, be adaptive, and not disturb very many businesses. That would be a fairly decent approach, which would be better than buying businesses along Grant Road in anticipation of the U-turn/left turn concept.

Mr. Basye said there were other things he wanted to mention. Transportation Department staff talked to the Council regarding projects that were demolished thereafter. He said he called that a “boondoggle” or maybe being hoodwinked, and said those terms were somewhat extreme.

Mr. Basye said he remembered when the reversible lanes on Grant Road and Broadway Boulevard were operating. It cost the City a few million dollars to set up all the posts and equipment to do that. He asked where that was now. To him that was like a boondoggle. Mr. Basye said he also remembered the cones that were placed on Fifth Street and east Sixth Street. They operated for many years and cost the City many man hours to operate. He asked where that was now. However, the Transportation Department said it was a good idea at that time. Mr. Basye also remembered the electronic speed devices on Twenty-second Street that the City spent millions of dollars to be able to program traffic speeds at the intersections to meet the next green light. He said they were not there now and millions of dollars were spent in all those cases. Transportation gave some good ideas that turned out to be foibles. He did not like the idea of having to go full speed ahead on the Grant Road Alignment Project. He said it was gold-plated and the City did not have money to waste.

Theron Miller said he heard about the public hearing on television the night before the Mayor and Council meeting. He said he was in the dark about the item and did not want to comment one way or another. He owned some townhomes that were in

the historic district three blocks down the street and had contemplated the idea of tearing them down to construct some loft apartments that he could sell. He had not thought seriously about it, because they were good properties and people liked old units. He asked if City staff would be able to tell him what was happening with this item and what it would accomplish, so he would know more about it.

Mayor Walkup said he appreciated Mr. Miller coming forward and admitting he was not knowledgeable about the item and said that was one of the reasons Mayor and Council were there. He directed staff to give Mr. Miller an orientation of what was going on with the item and that it would be done offline, because it was a fairly complex issue. Mayor Walkup said as soon as the item was completed, staff would approach him and explain what the project was about.

Mayor Walkup asked if there was anyone else wishing to be heard on this item.

Colin Zimmerman, Director of Government Affairs for Realtors, said he was glad this was over and looked forward to working with the Mayor and Council in the future with any ordinances that would come forward to make sure the City of Tucson remained a great city and that historic preservation remained a priority to everyone. He said he looked forward to helping in any way he could in the future.

It was moved by Council Member Trasoff, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Leal absent/excused) to close the public hearing.

Mayor Walkup asked the City Clerk to read Ordinance 10625 by number and title only.

Ordinance No. 10625 relating to Building Codes; repealing Section 3303.7 of the City of Tucson Building Code, "Demolition in the Historic Central Core," adopted on June 12, 2007 by Ordinance 10417 as a local amendment to the 2006 International Building Code; and declaring an emergency.

It was moved by Council Member Scott, duly seconded, to pass and adopt Ordinance 10625, which repeals Section 3303.7 of the City of Tucson Building Code, and to direct staff to initiate the process for an amendment to the *Land Use Code* that would provide for documentation of historic structures prior to demolition, as described in the Communication.

Council Member Trasoff said she preferred that the Council not need to pass ordinances to protect the character and the integrity of neighborhoods in the City. She said measures such as the Demolition Ordinance would not be needed, if not for a handful of residential builders who demonstrated blatant disregard for the people who had made lives in the University area neighborhoods. Council Member Trasoff said it was her sincere hope that those builders would begin to respect the quality of life in the neighborhoods surrounding the University of Arizona. It was important to know that this process that was going forward would give the chance to consider regulations to protect

historic resources citywide, it was not just in that one area. Until there would be respect for that history and that responsibility, they must continue to search for appropriate ways to protect the neighborhoods. She said she looked forward to see what staff would bring forward for consideration.

Mayor Walkup asked if there were further comments. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Scott, and Trasoff;
Vice Mayor Uhlich and Mayor Walkup

Nay: None

Absent/Excused: Council Member Leal

Ordinance 10625, which repeals Section 3303.7 of the City of Tucson Building Code, was declared passed and adopted, and staff was directed to initiate the process for an amendment to the *Land Use Code* that would provide for documentation of historic structures prior to demolition, as described in the Communication, by a roll call vote of 6 to 0.

11. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 20, dated January 13, 2009, was received into and made a part of the record. He asked for a motion to approve the appointments in the report.

It was moved by Vice Mayor Uhlich, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Leal absent/excused) to appoint Stephen T. Grede to the Tucson-Pima County Historical Commission, reappoint Leo Quesada to the Fire Code Review Committee, and appoint Esther Sharif to the Pima County–City of Tucson Commission on Addiction, Prevention, and Treatment.

Mayor Walkup asked if there were any personal appointments to be made.

There were no personal appointments.

12. ADJOURNMENT: 9:08 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, January 27, 2008, at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 13th day of January 2009, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:ccs:sm